

Douglas A. Ducey
Governor

Sherri L. Collins
Executive Director



October 8, 2019

VIA ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St, SW
Washington, DC 20554

RE: CG Docket No. 03-123; CG Docket No. 05-231

Dear Ms. Dortch,

The Arizona Commission for the Deaf and the Hard of Hearing (ACDHH) applauds the efforts being made to advance Telecommunications Relay Services into the 21st century. As technology advances and is promoted as a more cost effective and efficient service, especially as it relates to captioning services, we as a collective, must be mindful of the challenges and successes it can provide. Which is the case with Automatic Speech Recognition (ASR) and its accessibility use within the deaf and the hard of hearing communities. It is imperative we are mindful that technological strides are not void of speculation and review. Doing so ensures technology does not advance so quickly that it loses touch to the people served and in the process, losing their rights to equal access.

These are the foundational reasons why ACDHH firmly believes standards and metrics should be established to the technology in question. Standards related to ASR caption services, whether it be live captioning or IP CTS, should be developed in addition to the current mandatory minimum standards established within the Federal Communications Commission rules pursuant to 47 CFR 64.04. ACDHH supports the Consumer Group's petition requesting metrics for live captioning quality and opposes moving forward on vendor applications as it relates to ASR until standards have been determined.

Determination of standards and metrics should be technological neutral. Technical standards meet to limit negative externalities. By limiting externalities, unintended or intended, the FCC would be reducing harm to the deaf and the hard of hearing community. Setting standards mitigates harm to the consumer, while at the same time ensuring technology regulation doesn't stifle the development of future technology. This would prevent technological silos from occurring and provide across the board standards as it relates to equal access.

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The mission of the Arizona Commission for the Deaf and the Hard of Hearing is to ensure, in partnership with the public and private sectors, accessibility for the deaf, deaf-blind, hard of hearing, and persons with speech difficulties to improve their quality of life.

The purpose of best practices and metric requirements are to be fully functional and functionally equivalent. As indicated in the Consumer Group's petition, the quality of captions is a lasting challenge faced by the providers and the consumers. Quality is just as important as quantity. One should not be regarded as less relevant in order to achieve the other. Defining standards will assist the FCC in consumer complaints and provide better oversight to the broadcasters and vendors seeking to fully comply with the standards should they be established.

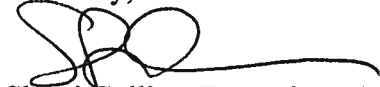
As stated in the petition, the best practices, standards or metrics should be established for the purposes of live captioning services. The technology must meet its own technical and operational standards that is determined by the technology in question. It is not best practice to comment/compare quality standards based on the standards of different technology.

In their request for limited waiver, VTCSecure implies in its reasoning the current mandatory minimum standards do not apply to the technology being used in their application. And that is a correct statement. However, the response of applicant should not be to seek waiver of mandatory standards, but rather request the industry set standards that are unique and specific to the technology. The waiver request submitted diminishes the value and the importance of functionally equivalent requirement of caption services. VTCSecure, as well as the other IP CTS vendor applications, are in deference to the rules set forth in 47 CFR 64.04 as they relate to accuracy, speed, confidentiality, and safety.

This is indicative of the vagueness in their applications and request for limited waivers. For example, VTCSecure requests a complete waiver of section 64.604 (a) 2 as it relates to confidentiality. Their request is not limited to certain sections of applicability. Confidentiality is crucial and critical to consumers. Confidentiality of conversation does not only apply to CA's but to the content of the information contained in the call itself, and shall also apply to the retention of the information. Vendors who provide caption services through ASR technology should still indicate whether or not the calls conducted through ASR will be 1) recorded, 2) stored, and if yes to (a) and (b), how they will maintain the confidentiality of the data and information contained in the call? Since calls shall be kept for data audit purposes related to compensation from the TRS fund, is an illustration of the applicant's response in seeking waiver of these mandatory minimum provisions lacks brevity.

The deaf, hard of hearing, and deafblind consumers rely on the standards set by the FCC for communication standards. By not setting standards for ASR-Based IP CTS, the FCC is requiring vendors and consumers to fit a square peg in a round hole. It is not fair, nor is it just under the rights of equal access. This is why ACDHH respectfully requests the FCC deny the applications and the waiver, as the applicants failed to show adherence to the mandatory minimum standards, as well as, VTC Secured failed to establish good cause in their request for limited waiver. In addition, are supportive and in agreeance with the Consumer Group's petition requesting the FCC to establish standards and metrics needed to allow for the full equal access under the FCC rules and guidelines.

Sincerely,



Sherri Collins, Executive Director